



# NEWS

Judicial Council of California  
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## **SUMMARY OF CASES ACCEPTED DURING THE WEEK OF DECEMBER 11, 2000**

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#00-153 People v Farell, S092183. (H019633.) Unpublished opinion. Petition for review after the Court of Appeal reversed and remanded for resentencing and otherwise affirmed a judgment of conviction of criminal offenses. This case concerns whether Penal Code section 1203.44, which prescribes particular punishment when a defendant is convicted of felony theft “of an amount exceeding fifty thousand dollars” in a single occurrence, applies when the theft is of property other than cash.

#00-154 Hess v. Ford Motor Co., S092697. (B125395.) Unpublished opinion. Petition for review after the Court of Appeal affirmed in part and reversed in part the judgment in a civil action. The case concerns (1) the circumstances under which a general settlement release that on its face extends to “all other persons” operates to relieve a non-signatory tortfeasor from liability and (2) whether a plaintiff who is entitled to interest from the date of a rejected offer of settlement that was then exceeded by the judgment (Code. Civ. Proc., §3291) is entitled to post-judgment interest on the aggregate amount of the judgment plus pre-judgment interest or only to post-judgment interest on the judgment not including pre-judgment interest.

(over)

#00-155 People v. Howard, S091943. (B129923.) Unpublished opinion. Petition for review after the Court of Appeal reversed and remanded for resentencing and otherwise affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in People v. Cornelius, S068743 (#00-94), People v. Acosta, S089120 (#00-104), and People v. Graves, S089533 (#00-105), each of which includes an issue concerning the propriety of further augmenting a sentence determined under the one strike law (Pen. Code, §667.61) under the three strikes law (Pen. Code, §667, (b)(i)).

#00-156 Kerrigan v. Thrifty Drug, S091951. (B135086.) Unpublished opinion. Petition for review after the Court of Appeal affirmed the judgment in a civil action. The court ordered briefing deferred pending decision in Ortega v. Kmart Corp., S091888 (#00-146), which concerns whether a store owner may be held liable for personal injuries to a shopper resulting from a hazardous condition in the store based solely on the owner's failure to maintain adequate inspection procedures.

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